

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RUTH FREDERICK, et al.,

Plaintiff(s),

vs.

METROPOLITAN POLICE, et al.,

Defendant(s).

Case No. 2:15-cv-02201-KJD-NJK

ORDER DENYING APPLICATION
TO PROCEED IN FORMA PAUPERIS

(Docket No. 1)

Pending before the Court is Plaintiffs' application to proceed in this action *in forma pauperis*. Docket No. 1. Applications to proceed *in forma pauperis* are used by parties who can demonstrate an inability to pay the Court's filing fee. In determining whether to grant an application to proceed *in forma pauperis*, courts look towards the application to determine the financial condition of the applicants. *Smith v. IRS*, 2015 WL 3479308, at *1 (D. Nev. Feb. 13, 2015) *report and recommendation adopted*, 2015 WL 3479381 (D. Nev. Mar. 4, 2015). Consequently, where a party submits an incomplete application, courts deny the application without prejudice and allow the party to file a fully-completed one. *Id.*

In this instance, Plaintiffs failed to completely answer question 3(b). Docket No. 1 at 1. Since Plaintiffs indicated that they received income in the form of rent payments, interest, or dividends in the last twelve months, the form required them to provide a description detailing the source and amount of that income. *Id.* Plaintiffs failed to do so. *Id.* Accordingly, the application to proceed *in forma pauperis* is deficient.

Based on the foregoing, **IT IS ORDERED** that:

1. Plaintiffs' application to proceed *in forma pauperis* is hereby **DENIED** without prejudice.
2. Plaintiffs shall have until **December 15, 2015** to file a completed application to proceed *in forma pauperis*.
3. The Clerk of Court shall mail Plaintiffs two blank applications to proceed *in forma pauperis*.
4. Alternatively to filing an application to proceed *in forma pauperis*, Plaintiffs may pay the \$400.00 filing fee no later than **December 15, 2015**.
5. Failure to comply with this Order will result in a recommendation to the United States District Judge that Plaintiffs' application to proceed *in forma pauperis* be denied with prejudice.

Dated: November 25, 2015



NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE